

ASSURANCES

THE CONTRACTOR SHALL:

Make accessible to the assigned DPHHS staff or other designated DPHHS representative full access to and the right to examine all case, administrative and personnel records for the purpose of contract monitoring.

Through the program director, consult on a regular basis with other appropriate human services within the service area of the contract. Purpose of these consultations is to:

- 1) Regularly assess the impact of the program.
- 2) Share program needs and opportunities within the network of other service providers.
- 3) Assess the needs of the community for additional services and to study the continuum of services needed for at risk families.

THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES SHALL:

DPHHS will assess the quality and impact of Contract Services, either in isolation or in comparison with other similar services, and will assess the Contractor's progress and/or success in achieving the goals and objectives set forth in Section 3 of the RFP. Technical assistance will be provided by DPHHS in the completion of these tasks.

The Department will provide sufficient advance notice to the In-Home Visitor to prepare for court appearance, family group conferencing or any other event in which the In-Home visitor is expected to participate.

The Department will review the quarterly progress reports, and provide the appropriate forms to support the delivery of project services and to implement a evaluation methodology.

The Department, as funds permit, will offer pre-service and in-service training opportunities to project staff as identified by them to better serve families.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion
Lower tier Covered Transactions

(To Be Supplied to Lower Tier Participants)

By signing and submitting this lower tier proposal, the prospective lower tier participant, as defined in 45 CFR Part 76, certifies to the best of its knowledge and belief that it and its principals:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency; and
- (b) Where the prospective lower tier participant is unable to certify to any of the above, such prospective participant shall attach an explanation to this proposal.

This prospective lower tier participant further agrees by submitting this proposal that it will include this clause entitled, "Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion - Lower Tier Covered Transactions" without modification in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

Organization

Authorized Signature

Title

Date

DEPARTMENT CERTIFICATION FORM

CERTIFICATION OF COMPLIANCE WITH CERTAIN REQUIREMENTS FOR DEPARTMENT OF PUBLIC HEALTH & HUMAN SERVICES CONTRACTORS (June 1999)

The Contractor, _____, in relation to the performance of services under the proposed contract, certifies to the Montana Department of Public Health & Human Services the following:

- A. That the Contractor does not act in collusion with other contractors for the purpose of gaining unfair advantages for it or other contractors or for the purpose of providing the services at a noncompetitive price or otherwise in a noncompetitive manner.
- B. That the Contractor is an independent contractor; that it maintains necessary and appropriate workers compensation and unemployment insurance coverage; that it is solely responsible for and must meet all labor and tax law requirements pertaining to its employment and contracting activities, inclusive of insurance premiums, tax deductions, tax withholding, overtime wages and other employment obligations that may be legally required with respect to it.
- C. That the Contractor, any employee of the Contractor, or any significant subcontractor in the performance of the duties and responsibilities of the proposed contract, are not currently suspended, debarred, or otherwise prohibited from entering into a federally funded contract or participating in the performance of a federally funded contract.
- D. That the Contractor, if receiving federal monies, does not expend federal monies in violation of federal legal authorities prohibiting expenditure of federal funds on lobbying federal and state legislative bodies or for any effort to persuade the public to support or oppose legislation.
- E. That the Contractor, if receiving federal monies, prohibits smoking at any site of federally funded activities that serve youth under the age of 18. This is not applicable to sites funded with Medicaid monies only or to sites used for inpatient drug or alcohol treatment.
- F. That the Contractor, if receiving federal monies, maintains drug free environments at its work sites, providing required notices, undertaking affirmative reporting, et al., as required by federal legal authorities.
- G. That the Contractor manages any real, personal, or intangible property purchased or developed with federal monies in accordance with federal legal authorities.
- H. That the Contractor, if receiving federal monies, is not delinquent in the repayment of any debt owed to a federal entity.
- I. That the Contractor, if expending federal monies for construction purposes or otherwise for property development, complies with federal legal authorities relating to flood insurance, historic properties, relocation assistance for displaced persons, elimination of architectural barriers, metric conversion, and environmental impacts.
- J. That the Contractor, if expending federal monies for research purposes, complies with federal legal authorities relating to use of human subjects, animal welfare, biosafety, misconduct in science and metric conversion.

- K. That the Contractor, if receiving \$100,000 or more in federal monies, complies with all applicable standards and policies relating to energy efficiency which are contained in the state energy plan issued in compliance with the federal Energy Policy and Conservation Act.

The Contractor is obligated during the duration of the contractual relationship to abide by those requirements pertinent to it in accordance with the governing legal authorities.

Not all of these assurances may be pertinent to the Contractor's circumstances. This certification form, however, is standardized for general use and signing it is intended to encompass only provisions applicable to the circumstances of the Contractor in relation to the federal and state monies that are being received.

These assurances are in addition to those stated in the federal OMB 424B (Rev. 7-97) form, known as "**ASSURANCES - NON-CONSTRUCTION PROGRAMS**", issued by the federal Office of Management of the Budget (OMB). Standard Form 424B is an assurances form that must be signed by the Contractor if the Contractor is to be in receipt of federal monies.

There may be program specific assurances, not appearing either in this form or in the OMB Standard Form 424B, that the Contractor may have to provide by certification.

This form, along with OMB Standard Form 424B, are to be provided with original signature to the Department's contract liaison. The completed forms are maintained by the Department in the pertinent purchase and contract files.

Further explanation of several of the requirements certified through this form may be found in the Department's standard Request For Proposal (RFP) format document, standard contracting requirements document, and set of standard contract provisions. In addition, detailed explanations of federal requirements may be obtained through the Internet at sites for the federal departments and programs and for Office for Management of the Budget (OMB) and the General Services Administration (GSA).

INSERT NAME OF CONTRACTOR

By: _____ Date _____

as _____
Typed/Printed Name Title

Address

Phone Number

Federal I.D. Number

AUDIT REQUIREMENTS

Audit Requirements: OMB Circular No. A-128 and Circular No. A-133 establishes requirements and defines Federal responsibilities for implementing and monitoring those requirements.

Organizations that receive \$500,000 or more a year in Federal awards shall have an audit made in accordance with the provisions of the appropriate Circular. Nonprofit organizations receiving \$500,000 or more, but receiving awards under only one program, have the option of (a) having an organization-wide audit of their organization prepared in accordance with the provisions of Circular A-133 or (b) having an audit made of only that one program.

The Contractor agrees to comply with the applicable requirements of OMB Circular No. A-128 or Circular No. A-133 in performing this contract.

CONTRACTOR: _____

BY: _____ TITLE: _____

DATE: _____

CERTIFICATION REGARDING ENVIRONMENTAL TOBACCO SMOKE

Public Law 103-227, Part C B Environmental Tobacco Smoke, also known as the Pro-Children Act of 1994 (Act), requires that smoking not be permitted in any portion of any indoor facility owned or leased or contracted for by an entity and used routinely or regularly for the provision of health, day care, education or library services to children under the age of 18, if the services are funded by Federal programs, either directly or through State or local governments, by Federal grant, contract, loan or loan guarantee. The law does not apply to children's services provided in private residences, facilities funded solely by Medicare or Medicaid funds and portions of facilities used for inpatient drug or alcohol treatment. Failure to comply with the provision of the law may result in the imposition of a civil monetary penalty of up to \$1000 per day and /or the imposition of an administrative compliance order on the responsible entity.

By signing and submitting this Certification the Applicant, Grantee or Contractor certifies that it will comply with the requirements of the Act. The Applicant, Grantee or Contractor further agrees that it will require that the language of the Certification be included, without modification, in any subawards which contain provisions for children's services and that all Subgrantees shall certify accordingly.

CONTRACTOR: _____

BY: _____ TITLE: _____

DATE: _____